

City of Mississauga Department Comments

Date Finalized: 2021-11-30	File(s): A504.21
To: Committee of Adjustment	Ward: 1
From: Committee of Adjustment Coordinator	Meeting date:2021-12-09 1:00:00 PM

Consolidated Recommendation

The City recommends that the application be deferred.

Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new dwelling proposing:

1. A building depth of 25.9m (approx. 85.0ft) whereas By-law 0225-2007, as amended, permits a maximum building depth of 20.0m (approx. 65.6ft) in this instance;
2. An exterior side yard setback of 3.72m (approx. 12.20ft) whereas By-law 0225-2007, as amended, requires a minimum exterior side yard setback of 4.50m (approx. 14.76ft) in this instance; and,
3. 1.0 parking spaces per unit whereas By-law 0225-2007, as amended, requires a minimum of 2.0 parking spaces per unit in this instance.

Background

Property Address: 14 Benson Avenue

Mississauga Official Plan

Character Area: Port Credit Neighbourhood (West)
Designation: Residential Low Density II

Zoning By-law 0225-2007

Zoning: RM7-5 - Residential

Other Applications:

Preliminary Zoning Review – 21-7338 (withdrawn)

Preliminary Application Review – 21-435 (meeting waived)

Site and Area Context

The subject property is located in the Port Credit Neighbourhood (West) Character Area, northwest of Mississauga Road and Lakeshore Road West. The immediate neighbourhood contains an eclectic mix of housing types, including older and newer one and two storey detached, semi-detached, townhouse and multiplex dwellings with mature vegetation in the front yards. The subject property contains a one and a half storey detached dwelling with minimal vegetation in the front yard.

The application proposes the construction of a new duplex dwelling requiring variances related to dwelling depth, exterior side yard and parking rate.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP) which permits duplexes.

The applicant has requested the Committee to approve minor variances to allow the construction of a new duplex dwelling on the subject property. Upon review of the application, Planning and Zoning staff have determined that variances #1 and 3, as requested, are inaccurate. Furthermore, Transportation and Works staff have identified concerns with the applicant's proposal for two separate driveways, as these are typically discouraged. Municipal Parking staff have noted in their comments that satisfactory parking justification, with respect to variance #3, was not submitted. Municipal Parking staff recommend the application be deferred, pending the submission of satisfactory justification. Furthermore, By-law 0225-2007, as amended, requires a minimum of 1.25 parking spaces per unit in this instance (duplex). Based on the applicant's request, there is a discrepancy.

Due to the inaccuracies and concerns raised by City staff, Planning staff are unable to complete a full review of the application at this time and recommend the application be deferred to give the applicant an opportunity to verify the variances requested with Zoning staff and submit a revised list of variances and/or drawings.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This Department has reviewed the submitted material and have a concern with the proposed driveway for the unit that will front on to High Street West. The proposed site plan provided shows insufficient distance to allow the two parking spaces to be within the applicant's own lands. This department would request that the application be **deferred** until such time that the applicant has redesigned the plan to allow for appropriate parking spaces for the second unit to be wholly located within the applicant's property.





Comments Prepared by: John Salvino, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a building permit application is required. In the absence of a building permit application, we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that there is a closed preapp file preapp 21-7338 but it is for a different proposal, a new preapp is required if they want zoning to review and comment, otherwise zoning has no responsibility for the variance comments.

Comments Prepared by: Sherri Takaloo, Zoning Examiner